

U.S. DISTRICT COURT

N.D. OF N.Y.

FILED

JUN 26 2017

# UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF NEW YORK

• 445 Broadway; Albany, NY. 12207-2938  
LAWRENCE K. BAERMAN, CLERK  
ALBANY

**Unified United States Common Law Grand Jury;**<sup>1</sup>  
P.O. Box 59, Valhalla, NY 10595; Fax: (888) 891-8977.

**Sureties of the Peace**<sup>2</sup>

AL, AK, AZ, AR, CA, CO, CT, DE, FL, GA, HI, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, MT, NE, NV, NH, NJ, NM, NY, NC, ND, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VT, VA, WA, WV, WI, WY:

Grand Jury, Sovereigns of the Court  
**We the People**

- Against -

Governor A. Cuomo, et al

Defendants

Jurisdiction: Court of Record, under  
the rules of Common Law<sup>3</sup>  
Action at law:<sup>4</sup> (see form 7 attached)

Case NO: 1:16-CV-1490

Magistrate: Daniel J. Stewart

**WRIT OF ERROR CORAM NOBIS**<sup>5</sup>

**THE COURT**<sup>6</sup> **COMES NOW** to review the facts, record, and process. The record shows that on June 14, 2017, without any Constitutional authority, self-appointed U.S. District Judge Lawrence E. Kahn, ignoring the random selection process that appointed Magistrate

<sup>1</sup> The UUSCLGJ is comprised of fifty Grand Jurys each unified amongst the counties within their respective States. All fifty States have unified nationally as an assembly of Thousands of People in the name of We the People to suppress, through our Courts of Justice, subverts both foreign and domestic acting under color of law within our governments. States were unified by re-constituting all 3,133 United States counties.

<sup>2</sup> **SURETIES OF THE PEACE:** If anyone has been dispossessed without the legal judgment of his peers, from his lands, castles, franchises, or from his right, we will immediately restore them to him; and if a dispute arise over this, then let it be decided by the five and twenty jurors of whom mention is made below in the clause for securing the peace. Moreover, for all those possessions, from which anyone has, without the lawful judgment of his peers, been disseized or removed by our government, we will immediately grant full justice therein. Magna Carta Paragraph 52.

<sup>3</sup> "A Court of Record is a judicial tribunal having attributes and exercising functions independently of the person of the magistrate designated generally to hold it, and proceeding according to the course of common law, its acts and proceedings being enrolled for a perpetual memorial." Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227, 229; Ex parte Gladhill, 8 Metc. Mass., 171, per Shaw, C.J. See, also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689.

<sup>4</sup> **AT LAW:** Bouvier's - This phrase is used to point out that a thing is to be done according to the course of the common law; it is distinguished from a proceeding in equity.

<sup>5</sup> **ERROR CORAM NOBIS** - Error committed in the proceedings "before us;" error assigned as a ground for reviewing, modifying, or vacating a judgment in the same court in which it was rendered. A writ to bring before the court that pronounced judgment errors in matters of fact which had not been put in issue or passed on and were material to validity and regularity of legal proceeding itself. - Hiawasee Lumber Co. v. United States, C.C.A.N.C., 64 F.2d 417, 418.

<sup>6</sup> **COURT** - [Black's, 4th] The person and suit of the sovereign; the place where the sovereign sojourns with his regal retinue, wherever that may be.; An agency of the sovereign created by it directly or indirectly under its authority, consisting of one or more officers, established and maintained for the purpose of hearing and determining issues of law and fact regarding legal rights and alleged violations thereof, and of applying the sanctions of the law, authorized to exercise its powers in the course of law at times and places previously determined by lawful authority. [Isbill v. Stovall, Tex.Civ.App., 92 S.W.2d 1067, 1070;

Daniel J. Stewart to this case, trespassed upon the case conducting his own court without notice or concurrence of the parties; without notice to the administrator Magistrate Daniel J. Stewart; without jurisdiction; without due process and under color of law<sup>7</sup> acted in an attempt to seize control of this court, an act of a tyrant, by manufacturing an UNLAWFUL ORDER (*see attached*) to dismiss this action without prejudice, thereby aiding and abetting the covering up of murder; torture; manipulation of evidence, witnesses and juries in order to incarcerate innocent People who are a threat to exposing judicial and law enforcement corruption and RICO on a national level; conspiracy to supplant the Law of the Land with statutes, thereby replacing our Republic with Corporatism; political incarcerations; covering up the murder of inventors who are a threat to corporate profits, denying due process; robbing Peoples' homes and estates; taking Peoples children; running debtors prisons, covering up and protecting pedophile rings, etc...

*"It is the duty of the courts to be watchful for the Constitutional rights of the citizen and against any stealthy encroachments thereon." - Boyd v. United States, 116 U.S. 616, 635.*

The genius of a court of record is not to be undermined. It is the unalienable right of every American to settle criminal cases in a court of record; Federal District Courts are creatures of Congress, inferior to the "One Supreme Court" which is "vested by ~~We~~ the People ourselves through the Constitution for the United States of America. Federal District Court judges hold their office during good behavior, that is to say obedience to the "One Supreme Court" under Article III Section 1 and the "Law of the Land" under Article VI clause 2. The unalienable right of "free access" to the Peoples courts is settled law that "all judges are bound by oath to obey."

If self-appointed U.S. District Judge Lawrence E. Kahn read our papers, he would understand that, unlike the unjust courts he presides over, this is an Article III Court in which indictments will be filed and criminal cases will be tried. ~~We~~ the People are acting

<sup>7</sup> COLOR OF LAW "The appearance or semblance, without the substance, of legal right." - State v. Brechler, 185 Wis. 599, 202 N.W. 144, 148; "Misuse of power, possessed by virtue of state law and made possible only because wrongdoer is clothed with authority of state, is action taken under 'color of state law.'" - Atkins v. Lanning, 415 F. Supp. 186, 188

as grand juries to indict people that the corrupt judiciary will not, whereby untainted trial juries will preside over. The U.S. Attorney General will be providing U.S. Prosecutors or approve a special common law prosecutor. Nevertheless, the 6<sup>th</sup> Amendment provides for assistance of counsel for defense, not BAR or Attorney counsel. Judge Lawrence E. Kahn would also understand that we are not a corporation, partnership, or an association; we are the People, under the authority of the Grand Jury because all federal juries have been seized by the judiciary.

*"In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defense."* - Bill of Rights Amendment VI.

Self-appointed Judge Lawrence E. Kahn made it clear, by his actions, that he believed he was the owner of the courtroom; not ~~We~~ the People. He was not satisfied with the lawful rules of court; he became a loose cannon and imposed his own rules, and rules of another jurisdiction foreign<sup>8</sup> to this court of record. Papers concerning numerous felonies such as subversion against the United States of America, murder, kidnaping, false imprisonment, pedophilia, etc., have been filed in this case. The law provides that the judiciary is to respond and not conceal as was attempted by Judge Lawrence E. Kahn, who is now in jeopardy of indictment in violation of 18USC §4<sup>9</sup>, 18USC §1001<sup>10</sup> and felony rescue.

<sup>8</sup> **Law of the case lines 399-401** - "'Sovereignty' means that the decree of sovereign makes law, and foreign courts cannot condemn influences persuading sovereign to make the decree." *Moscow Fire Ins. Co. of Moscow, Russia v. Bank of New York & Trust Co.*, 294 N.Y.S. 648, 662, 161 Misc. 903.; As independent sovereignty, it is State's province and duty to forbid interference by another state or foreign power with status of its own citizens. *Roberts v Roberts* (1947) 81 CA2d 871, 185 P2d 381. *Black's Law Dictionary*, 4th Ed., p 1300.

<sup>9</sup> **18 USC §4 - Misprision of felony provides:** *Whoever, having knowledge of the actual commission of a felony cognizable by a court of the United States, conceals and does not as soon as possible make known the same to some judge or other person in civil or military authority under the United States, shall be fined under this title or imprisoned not more than three years, or both.*

<sup>10</sup> **18 U.S. Code § 1001 - Statements or entries generally** (a) Except as otherwise provided in this section, whoever, in any matter within the jurisdiction of the executive, legislative, or judicial branch of the Government of the United States, knowingly and willfully- (1) falsifies, conceals, or covers up by any trick, scheme, or device a material fact; (2) makes any materially false, fictitious, or fraudulent statement or representation; or (3) makes or uses any false writing or document knowing the same to contain any materially false, fictitious, or fraudulent statement or entry; shall be fined under this title, imprisoned not more than 5 years or, if the offense involves international or domestic terrorism (as defined in section 2331), imprisoned not more than 8

Furthermore, elected and appointed officials have a duty to speak<sup>11</sup> and ~~We~~ the People have an unalienable right of redress and remedy. This court will not permit one rogue judge to subvert that unalienable right of due process.<sup>12</sup>

Furthermore, without proper authority, self-appointed Judge Lawrence E. Kahn trespassed upon the case and, by his actions and statements, figuratively assumed the cloak of a tribunal<sup>13</sup>. The record shows that the rules of the court were not followed, that self-appointed Judge Lawrence E. Kahn attempted to function as a tribunal, and that the court was ineffective in furthering the goal of justice for all. These failures to follow the prescribed procedures are sufficiently disruptive to the goal of providing fair justice in that the sovereigns<sup>14</sup> of the court finds it necessary to issue a writ of error Coram Nobis as follows:

The sovereigns of the court, having reviewed the facts, the record, and the process by which the ruling was issued, and finding that Judge Lawrence E. Kahn rendered a ruling under color of law by seizing control and applying rules from jurisdictions foreign to this court without leave of court; and finding that the orderly decorum of the court was replaced by defective impromptu process and usurpation of legislative and court powers without leave of court.

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years, or both. If the matter relates to an offense under chapter 109A, 109B, 110, or 117, or section 1591, then the term of imprisonment imposed under this section shall be not more than 8 years.

<sup>11</sup> "Silence can only be equated with fraud where there is a legal or moral duty to speak, or where an inquiry left unanswered would be intentionally misleading. . ." U.S. v. Tweel, 550 F.2d 297, 299. See also U.S. v. Prudden, 424 F.2d 1021, 1032; Carmine v. Bowen, 64 A. 932.

<sup>12</sup> Due course of law, this phrase is synonymous with "due process of law" or "law of the land" and means law in its regular course of administration through courts of justice. - Kansas Pac. Ry. Co. v. Dunmeyer 19 KAN 542.

<sup>13</sup> The tribunal is independent of the magistrate (judge) A "COURT OF RECORD" is a judicial tribunal having attributes and exercising functions independently of the person of the magistrate designated generally to hold it, and proceeding according to the course of common law, its acts and proceedings being enrolled for a perpetual memorial. Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227, 229; Ex parte Gladhill, 8 Metc. Mass., 171, per Shaw, C.J. See, also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689. ....; A judicial tribunal having attributes and exercising functions independently of the person of the magistrate designated generally to hold it Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227,

<sup>14</sup> "Sovereignty" means that the decree of sovereign makes law, and foreign courts cannot condemn influences persuading sovereign to make the decree." Moscow Fire Ins. Co. of Moscow, Russia v. Bank of New York & Trust Co., 294 N.Y.S. 648, 662, 161 Misc. 903.; "The people of this State, as the successors of its former sovereign, are entitled to all the rights which formerly belonged to the King by his prerogative." Lansing v. Smith, 4 Wend. 9 (N.Y.) (1829), 21 Am. Dec. 89 10C Const. Law Sec. 298; 18 C Em.Dom. Sec. 3, 228; 37 C Nav.Wat. Sec. 219; Nuls Sec. 167; 48 C Wharves Sec. 3, 7.



American Jurisprudence (Constitutional Law) §326; Free Justice and Open Courts; Remedy for All Injuries - in most of the state Constitutions, there are provisions, varying slightly in terms, which stipulate that justice shall be administered to all without delay or denial, without sale or prejudice, and that the courts shall always be open to all alike<sup>15</sup>. These provisions are based largely upon the Magna Charta, chap. 40, which provides; "We will sell to no man. We will not deny to any man either justice or right." The chief purpose of the Magna Charta provision was to prohibit the King from selling justice by imposing fees on litigants through his courts and to deal a death blow to the attendant venal and disgraceful practices of a corrupt judiciary in demanding oppressive gratuities for giving or withholding decisions in pending causes. It has been appropriately said that in a free government the doors of litigation are already wide open and must constantly remain so. The extent of the constitutional provision has been regarded as broader than the original confines of Magna Charta, and such constitutional provision has been held to prohibit the selling of justice not merely by magistrates but by the State itself. Therefore, a denial of access into the Peoples courts' of justice for refusing to pay a fee would be a violation of plaintiff's unalienable right of due process protected under the V Amendment.

The Court would like to reiterate the following information and memorandums (found at [www.nationallibertyalliance.org/docket](http://www.nationallibertyalliance.org/docket)) that define the process and rules of this Article III Court of Record:

- 1) Information Brief Clarifying this Extraordinary Proceeding,
- 2) Memorandum of Facts,
- 3) Memorandum of Law in Support of the Authority Grand Jury,
- 4) Memorandum of Law in Support of Standing,
- 5) Memorandum Jury Tampering and Stacking,
- 6) Memorandum of Law in Support of Understanding Our Founding Documents,

<sup>15</sup> It is the unalienable right of every American to settle issues in a court of record, if he so chooses; The court is to take judicial notice of Federal Rules of Evidence 201(d) concerning Judicial Notice of Adjudicative Fact that Plaintiff has a lawful right to proceed without cost, based upon the following U.S. Supreme Court ruling that "a natural man or woman is entitled to relief for free access to its judicial tribunals and public offices in every State in the Union" 2 Black 620, see also Crandell v. Nevada, 6 Wall 35; "Plaintiff should not be charged fees, or costs for the lawful and constitutional right to petition this court in this matter in which he is entitled to relief, as it appears that the filing fee rule was originally implemented for fictions and subjects of the State and should not be applied to the Plaintiff who is a natural individual and entitled to relief" Hale v. Henkel 201 U.S. 43.

- 7) Memorandum of Law in Support of the Common Law,
- 8) Memorandum of Law in Support of Article III Courts,
- 9) Statement of Jurisdiction,
- 10) Jurisdiction Notice to Magistrate,
- 11) Memorandum in Support of Jurisdiction.


Therefore, the sovereigns of this court of record, reminding all officers of the court of record that any statute or rule repugnant to the Constitution is null and void<sup>16</sup> in a court of record and thereby issues this Writ of Error Coram Nobis, to wit; reversing the order by Judge Lawrence E. Kahn of the inferior court not of record from jurisdictions unknown, thereby returning the court back to the tribunal.

THE COURT IMPEACHES AND RESCINDS THE STATEMENT BY JUDGE LAWRENCE E. KAHN IN THAT HE DID MAKE AN UNLAWFUL DECISION AND ORDER, AND THIS COURT ORDERS JUDGE LAWRENCE E. KAHN TO CEASE AND DESIST FROM ASSUMING THE ROLE OF TRIBUNAL.

**SO ORDERED AND ORDAINED.**

SEAL

DATED: June 19, 2017

  
Grand Jury Foreman

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<sup>16</sup> **NULL & VOID** "All laws, rules and practices which are repugnant to the Constitution are null and void" -- Marbury v. Madison, 5th US (2 Cranch) 137, 180; "Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them" Miranda v. Arizona, 384 U.S. 436, 491; "... that statutes which would deprive a citizen of the rights of person or property without a regular trial, according to the course and usage of common law, would not be the law of the land." Hoke vs. Henderson, 15, N.C.15,25 AM Dec 677.

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK

GRAND JURY, SOVEREIGNS OF  
THE COURT,

Plaintiff,

-against-

1:16-CV-1490 (LEK/DJS)

U.S. CONGRESS, *et al.*,

Defendants.

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**DECISION AND ORDER**

Plaintiff Grand Jury, Sovereigns of the Court commenced this action on December 14, 2016. Dkt. No. 1 (“Complaint”). Defendants include, among others, the United States Congress, the President of the United States, the United States Supreme Court, and the governors of all fifty states. Docket; Compl. at 4–6.<sup>1</sup> The Complaint is over one hundred pages long, and it contains a laundry list of grievances related to alleged violations of the United States Constitution. To take just one example, one section of the Complaint is dedicated to showing that the “balance of power” set up by the Constitution “was laid waste by the unratified, unconstitutional 17th Amendment.” Compl. at 14–16. As several Defendants point out in their brief in support of their motion to dismiss, the Complaint is essentially a “political manifesto.” Dkt. No. 14-1 (“Memorandum”) at 1; see also Dkt. No. 14 (“Motion to Dismiss”).

Plaintiff also filed an order to show cause against Clerk of the Court Lawrence K. Baerman on January 19, 2017, demanding that Baerman “show cause by what authority the clerk may charge for Justice” by requiring a filing fee. Dkt. No. 5 (“Order to Show Cause”) at 5. On

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<sup>1</sup> The page numbers for the Complaint refer to those generated by the Court’s electronic filing system (“ECF”).

April 18, 2017, Plaintiff moved for default judgment against Baerman, asking the Court to order Baerman to “return [to Plaintiff] the \$400 [filing fee] immediately.” Dkt. No. 16 (“Motion for Default Judgment”). And on June 12, 2017, the Court received several letters from Plaintiff on behalf of individuals seeking relief from allegedly unlawful “Non-Judicial Foreclosures.” E.g., Dkt. No. 21 (“Letter Motion”) at 2–4.

According to the Complaint, Plaintiff is “comprised of fifty Grand Jurys [sic] each unified amongst the counties within their respective states. All fifty States have unified nationally as an assembly of Thousands of People.” Compl. at 1 n.1. The Complaint is signed at various points by the “Grand Jury Foreman,” e.g., id. at 2, 79, 138, and no lawyer has appeared on behalf of Plaintiff, whose address is listed as a P.O. box in Valhalla, New York, Docket.

On April 19, 2017, the federal defendants in this case asked the Court to dismiss the case on the ground that Plaintiff, as an apparently unincorporated organization, cannot proceed without counsel. Dkt. No. 17 (“Letter Motion”) at 1. The Court agrees.

“Under 28 U.S.C. § 1654, individuals are permitted to represent themselves in federal court, but the statute does not permit non-attorneys to represent another person or any artificial entities, including corporations, partnerships, or associations.” Riveredge Owners’ Ass’n v. Town of Cortlandt, Inc., No. 16-CV-5665, 2016 WL 6462387, at \*2 (S.D.N.Y. Nov. 1, 2016), adopted by 2016 WL 7392218 (S.D.N.Y. Dec. 21, 2016); see also Souffrant v. Denhil Oil, LLC, No. 10-CV-80246, 2010 WL 1541192, at \*1 (S.D. Fla. Apr. 16, 2010) (“The rule requiring corporations to be represented by counsel extends to all non-natural persons, i.e., entities, as its purpose is the protection of the courts and the administration of justice.”). A court may sua sponte dismiss without prejudice an action brought by a nonlawyer on behalf of an organization



that must be represented by counsel. See, e.g., Elizabeth Teachers Union, AFT Local 733 v. Elizabeth Bd. of Educ., No. 90-CV-3343, 1990 WL 174654, at \*5 (D.N.J. Nov. 8, 1990)

(“Because the ETU may not represent itself and Mr. Gualano may not represent it either, no one is authorized to appear before this Court on plaintiff’s behalf. . . . The Court therefore has no recourse but to dismiss the complaint sua sponte as to all defendants without prejudice to refile by an attorney.”); First Amendment Found. v. Village of Brookfield, 575 F. Supp. 1207, 1207–08 (N.D. Ill. 1983) (“Mr. Weisberg is not a member of the bar of this court, and it is the court’s understanding that he is not an attorney. His appearance on behalf of plaintiff therefore is improper. . . . The papers filed on plaintiff’s behalf are stricken, and the case is dismissed without prejudice.”).

Here, Plaintiff describes itself as an organization composed of thousands of members across the United States. Compl. at 1 n.1. Plaintiff’s pleadings are signed by the “Grand Jury Foreman,” e.g., id. at 2, 79, 138, and no lawyer has appeared on Plaintiff’s behalf, Docket. Since Plaintiff appears to be an organization of some kind, it cannot proceed in this court unless it is represented by counsel. See, e.g., Kanelos v. County of Mohave, No. 10-CV-8099, 2010 WL 2803864, at \*1 (D. Ariz. July 15, 2010) (“Unlicensed laypersons, including the owners of companies, officers of a corporation, partners of a partnership, and *members of an association*, may not represent their entities pro se.” (emphasis added)). There is no indication that the “Grand Jury Foreman” is a lawyer authorized to practice before this Court. Thus, the Court dismisses the Complaint without prejudice. If Plaintiff does not obtain counsel to represent it within thirty days, the action shall be dismissed with prejudice.

Accordingly, it is hereby:

**ORDERED**, that Plaintiff's Complaint (Dkt. No. 1) is **DISMISSED without prejudice**; and it is further

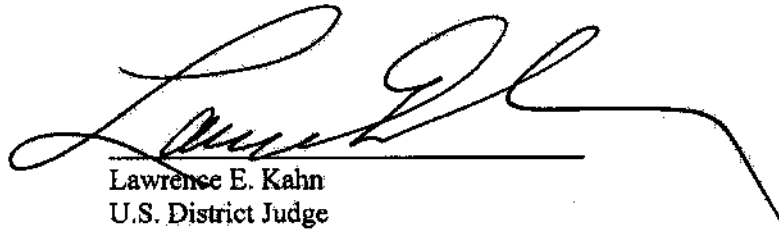
**ORDERED**, that if Plaintiff wishes to proceed with this action, it must obtain counsel within **thirty days** of this Decision and Order; and it is further

**ORDERED**, that if Plaintiff fails to obtain counsel within thirty days, the Complaint (Dkt. No. 1) shall be dismissed with prejudice, without further order of the Court; and it is further

**ORDERED**, that the Clerk of the Court serve a copy of this Decision and Order on all parties in accordance with the Local Rules.

**IT IS SO ORDERED.**

DATED: June 14, 2017  
Albany, New York



Lawrence E. Kahn  
U.S. District Judge

**UNITED STATES DISTRICT COURT FOR  
THE NORTHERN DISTRICT OF NEW YORK**

• 445 Broadway; Albany, NY. 12207-2936 •

U.S. DISTRICT COURT  
N.D. OF N.Y.  
FILED

JUN 27 2017

**Unified United States Common Law Grand Jury;<sup>1</sup>**

**Sureties of the Peace<sup>2</sup>**

P.O. Box 59, Valhalla, NY 10595; Fax: (888) 891-8977.

AL, AK, AZ, AR, CA, CO, CT, DE, FL, GA, HI, ID, IL, IN, IA, KS, KY, LA, ME, MD, MA, MI, MN, MS, MO, MT, NE, NV, NH, NJ, NM, NY, NC, ND, OH, OK, OR, PA, RI, SC, SD, TN, TX, UT, VA, VT, WA, WI, WY, ZS  
~~ALABAMA, ARIZONA, ARKANSAS, CALIFORNIA, COLORADO, CONNECTICUT, DELAWARE, FLORIDA, GEORGIA, HAWAII, IDAHO, ILLINOIS, INDIANA, IOWA, KANSAS, KENTUCKY, LOUISIANA, MAINE, MARYLAND, MASSACHUSETTS, MICHIGAN, MINNESOTA, MISSISSIPPI, MISSOURI, MONTANA, NEBRASKA, NEVADA, NEW HAMPSHIRE, NEW JERSEY, NEW MEXICO, NEW YORK, NORTH CAROLINA, NORTH DAKOTA, OHIO, OREGON, PENNSYLVANIA, RHODE ISLAND, SOUTH CAROLINA, SOUTH DAKOTA, TENNESSEE, TEXAS, UTAH, VERMONT, VIRGINIA, WASHINGTON, WISCONSIN, WYOMING, ZS~~  
ALBANY

Grand Jury, Sovereigns of the Court

**We the People**

- Against -

Governor A. Cuomo, et al

Defendants

Jurisdiction: Court of Record, under  
the rules of Common Law<sup>3</sup>  
Action at law:<sup>4</sup>

Case NO: 1:16-CV-1490

Magistrate: Daniel J. Stewart

**INFORMATION - PRESIDENT**

It is by and through our Constitution, that **We the People** Ordained that we have government by consent and established Common Law, a/k/a Natural Law whereas the Creator gifted us with certain unalienable Rights thereby securing Justice in our courts.

*"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, --That whenever any Form of Government becomes*

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<sup>2</sup> **SURETIES OF THE PEACE:** If anyone has been dispossessed without the legal judgment of his peers, from his lands, castles, franchises, or from his right, we will immediately restore them to him; and if a dispute arise over this, then let it be decided by the five and twenty jurors of whom mention is made below in the clause for securing the peace. Moreover, for all those possessions, from which anyone has, without the lawful judgment of his peers, been disseized or removed by our government, we will immediately grant full justice therein. Magna Carta Paragraph 52.

<sup>3</sup> "A Court of Record is a judicial tribunal having attributes and exercising functions independently of the person of the magistrate designated generally to hold it, and proceeding according to the course of common law, its acts and proceedings being enrolled for a perpetual memorial." Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227, 229; Ex parte Gladhill, 8 Metc. Mass., 171, per Shaw, C.J. See, also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689.

<sup>4</sup> **AT LAW:** Bouvier's This phrase is used to point out that a thing is to be done according to the course of the common law; it is distinguished from a proceeding in equity.

*destructive of these ends, it is the Right of the People to alter or to abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness.” -- Declaration of Independence*

*“We the people of the United States, in order to form a more perfect union, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution for the United States of America.” -- Preamble*

It is through impartial juries that ~~We~~ the People consent to indictments, convictions and remedy. Any jury instructed by judges is a tampered jury. Any Grand Jury driven by statutes is a puppet jury; Any Jury not instructed in the power of nullification or forbidden to exercise the same, exercises the will of government and not Justice.

*“In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury...” -- Amendment VI*

*“No person shall be held to answer for a capital, or otherwise infamous crime, unless on a presentment or indictment of a Grand Jury ...” -- Amendment V*

*“... the right of trial by jury shall be preserved, and no fact tried by a jury, shall be otherwise reexamined in any Court of the United States, than according to the rules of the common law.” -- Amendment VII*

*“The people of this State, as the successors of its former sovereign, are entitled to all the rights which formerly belonged to the King by his prerogative.<sup>5</sup> A consequence of this prerogative is the legal ubiquity of the king. His majesty in the eye of the law [written in the hearts] is always present in all his courts, though he cannot personally distribute justice.<sup>6</sup> His judges [juries] are the mirror by which the king's image is reflected.”<sup>7</sup>*

*“Without justice being freely, fully, and impartially administered, neither our persons, nor our rights, nor our property, can be protected. And if these, or either of them, are regulated by no certain laws, and are subject to no certain principles, and are held by no*

<sup>5</sup> *Lansing v. Smith*, 4 Wend. 9 (N.Y.) (1829), 21 Am. Dec. 89 10C Const. Law Sec. 298; 18 C Em.Dom. Sec. 3, 228; 37 C Nav.Wat. Sec. 219; Nuls Sec. 167; 48 C Wharves Sec. 3, 7.

<sup>6</sup> Fortesc.c.8. 2Inst.186

<sup>7</sup> Blackstone's Commentaries, 270

*certain tenure, and are redressed, when violated, by no certain remedies, society fails of all its value; and men may as well return to a state of savage and barbarous independence."* -- Joseph Story, Commentaries on the Constitution, 1833

*"Without liberty, law loses its nature and its name, and becomes oppression. Without law, liberty also loses its nature and its name, and becomes licentiousness [driven by lust]."* -- James Wilson, Of the Study of the Law in the United States, Circa 1790

God's Word declares: "Mercy, Truth, Justice and judgment are the habitation of God's throne:"<sup>8</sup> "The Lord is Spirit: and where the Spirit of the Lord is, there is liberty;"<sup>9</sup> we are to stand fast in that liberty wherewith God hath made us free, and be not entangled again with the yoke of bondage."<sup>10</sup> "Justice in the most extensive sense of the word differs little from virtue, for it includes within itself the whole circle of virtues; justice being in itself a part of virtue, is confined to things simply good or evil..."<sup>11</sup> Therefore our courts are either just or unjust, juries can "defend the poor and fatherless: do justice to the afflicted and needy. Deliver the poor and needy: rid them out of the hand of the wicked."<sup>12</sup>

"Decency, security and liberty alike demand that government officials shall be subjected to the same rules of conduct that are commands to the citizen. In a government of laws, existence of the government will be imperiled if it fails to observe the law scrupulously". ...Our Government is the potent, the omnipresent teacher. For good or for ill, it teaches the whole people by its example... Crime is contagious. If the Government becomes a lawbreaker, it breeds contempt for law; it invites every man to become a law unto himself; it invites anarchy. -- Olmstead v. United States, 277 U.S. 438 (1928)]

"Before any man can be considered as a member of civil society, he must be considered as a subject at the Governor of the Universe."<sup>13</sup> "It is the duty of all nations to acknowledge the providence of Almighty God, to obey His will, to be grateful for His benefits and humbly to implore His protection and favor."<sup>14</sup> "We have no government armed with power capable of contending with human passions unbridled by morality and religion. Our Constitution was made only for a moral and religious people. It is wholly inadequate to the government of any other." -- John Adams

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<sup>8</sup> Psa 89:14

<sup>9</sup> 2 Cor 3:17

<sup>10</sup> Gal 5:1

<sup>11</sup> Bouvier

<sup>12</sup> Psa 82:3,4

<sup>13</sup> James Madison

<sup>14</sup> George Washington



*"Is it not that in the chain of human events, the birthday of the nation is indissolubly linked with the birthday of the Savior? That it forms a loading event in the progress of the Gospel dispensation? Is it not that the Declaration of Independence first organized the social compact on the foundation of the Redeemer's mission upon earth? --That it laid the cornerstone of human government upon the first precepts of Christianity?" -- John Quincy Adams*

*"I've lived a long time, and the longer I live, the more convincing proofs I see of this truth: That God governs in the affairs of men. If a sparrow cannot fall to the ground without His notice, is it probable that an empire can rise without His aid? We've been assured in the sacred writings that unless the Lord builds the house, they labor in vain who build it. I firmly believe this, and I also believe that without His concurring aid, we shall succeed in this political building no better than the builders of Babel. Blessed is the nation whose God is the LORD..." -- Benjamin Franklin*

America must stand upon Justice, not rogue judges. Judges may judge in equity cases [civil suits] and only when agreed to by both parties if more than twenty dollars. *"In suits at common law, where the value in controversy shall exceed twenty dollars, the right of trial by jury shall be preserved..."* -- Amendment VII: whereas all criminal cases must be decided by the People untainted and unshackled, judges are not to interfere.

A Great Nation must be a Just Nation and a nation can only be as Just as its Courts, whereas politically motivated judges whose rulings always favor the status quo and Corporate America, have seized control of our courts. True American Patriots are imprisoned, tortured and murdered.

We the People have pleaded in the courts for more than five years to no avail. We have discovered that evil rules our American courts in the name of the People. Therefore, We the People have risen under the name of the Sureties of the Peace in the spirit of the Magna Carta and the Declaration of Independence as we near critical mass. We the People have opened an Article III<sup>15</sup> Court of Record<sup>16</sup> which will proceed as a Court of Law<sup>17</sup>.

<sup>15</sup> Article III Section 2. The judicial power shall extend to all cases, in law and equity, arising under this Constitution, the laws of the United States, and treaties made, or which shall be made, under their authority;...

<sup>16</sup> **COURT OF RECORD:** *"A judicial tribunal [jury] having attributes and exercising functions independently of the person of the magistrate designated generally to hold it proceeding according to the course of common law"* -- Jones v. Jones, 188 Mo.App. 220, 175 S.W. 227, 229; Ex parte Gladhill, 8 Metc. Mass., 171, per Shaw, C.J. See, also, Ledwith v. Rosalsky, 244 N.Y. 406, 155 N.E. 688, 689; **COURTS OF RECORD and COURTS NOT OF RECORD** -- *"The former being those whose* Information

It is now incumbent upon you, Mr. President, to enforce the Law of the Land<sup>18</sup> by demanding that Attorney General Jeff Sessions do his SWORN DUTY and provide the only known "Article III Court" in America with U.S. Prosecutors who will exercise their sworn duty and let the People (jury) apply justice, because "*Only the People can save America*", without which America can never be great again.

***"Justice must satisfy the appearance of justice."*<sup>19</sup>**

*"We the People are the rightful masters of both Congress and the Courts, not to overthrow the Constitution but to overthrow the men who pervert the Constitution."* – A Lincoln

*"I know no safe depositary of the ultimate powers of the society but the people themselves; and if we think them not enlightened enough to exercise their control with a wholesome discretion, the remedy is not to take it from them, but to inform their discretion by education. This is the true corrective of abuses of constitutional power."; "Educate and inform the whole mass of the people... They are the only sure reliance for the preservation of our liberty." -- Thomas Jefferson*

SEAL

DATED: June 22, 2017



Grand Jury Foreman

**Copied:** Attorney General Sessions, President Donald Trump, Senator Chuck Grassley, U.S. Representative Trey Gowdy and U.S. Representative Jason Chaffetz

**Attached:** Writ of Error Coram Nobis dated: June 19, 2017.

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*acts and judicial proceedings are enrolled, or recorded, for a perpetual memory and testimony, and which have power to fine or imprison for contempt. Error lies to their judgments, and they generally possess a seal. Courts not of record are those of inferior dignity, which have no power to fine or imprison, and in which the proceedings are not enrolled or recorded."* 3 Bl. Comm. 24; 3 Steph. Comm. 383; The Thomas Fletcher, C.C.Ga., 24 F. 481; Ex parte Thistleton, 52 Cal 225; Erwin v. U.S., D.C.Ga., 37 F. 488, 2 L.R.A. 229; Heininger v. Davis, 96 Ohio St. 205, 117 N.E. 229, 231.

<sup>17</sup> **COURT OF LAW:** Blacks 4th; a court proceeding according to the course of the common law and governed by its rules and principles, as contrasted with a "court of equity."

<sup>18</sup> Article VI. Clause 2: This Constitution, and the laws of the United States which shall be made in pursuance thereof; and all treaties made, or which shall be made, under the authority of the United States, shall be the supreme law of the land; and the judges in every state shall be bound thereby, anything in the Constitution or laws of any State to the contrary notwithstanding.

<sup>19</sup> Levine v. United States, 362 U.S. 610, 80 S.Ct. 1038 (1960), citing Offutt v. United States, 348 U.S. 11, 14, 75 S.Ct. 11, 13 (1954).

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